

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

BETTY RADVILLAS,

Plaintiff,

vs.

10-CV-0733-JAP-GBW

JACQUELINE E. FRYAR,

Defendant.


ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION

The Magistrate Judge filed his Proposed Findings and Recommended Disposition on July 14, 2010. *Doc. 23*. The proposed findings notify the parties of their ability to file objections and that failure to do so waives appellate review. *See id.* at 3; *see also Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010). To date, neither party has filed any objections and there is nothing in the record indicating that the proposed findings were not delivered. Accordingly, the Proposed Findings and Recommended Disposition of the Magistrate Judge is adopted.

Wherefore,

IT IS HEREBY ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 23*) is **ADOPTED**;

IT IS FURTHER ORDERED THAT this case is **REMANDED** to state court for lack of federal subject matter jurisdiction.

A handwritten signature in black ink, reading "James A. Parker". The signature is fluid and cursive, with the first name "James" and last name "Parker" clearly legible. The middle initial "A." is smaller and less distinct. The signature is positioned above a horizontal line.

UNITED STATES DISTRICT JUDGE